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ISSUANCES

of the
Meat and Poultry Inspection Program

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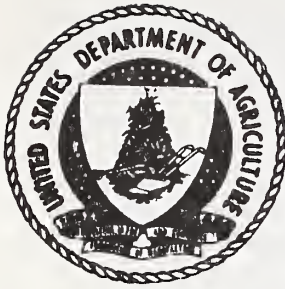


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**UNITED STATES DEPARTMENT OF AGRICULTURE
Food Safety and Quality Service
Meat and Poultry Inspection Program
Washington, D.C. 20250**



UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND QUALITY SERVICE
MEAT AND POULTRY INSPECTION PROGRAM
WASHINGTON, D.C. 20250

MEAT AND POULTRY INSPECTION REGULATIONS

JUNE 1980

CHANGE: 80-4/5/6

MAINTENANCE INSTRUCTIONS

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SOUTHWESTERN REGIONAL OFFICE:

(If you're in Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, or Texas, please contact)

Dr. N. B. Isom, Acting Director
Room 5-F41
1100 Commerce St.
Dallas, TX 75245
Phone: 8/729-0743 FTS

Texas - New Mexico Area

Dr. John C. Schweda
First National Life Bldg.
Room 203-A
702 Colorado
Austin, TX 78701
Phone: 8/734-5151 FTS
512/397-5151 Commercial

Arkansas - Oklahoma Area

Dr. William D. O'Mara
San Jose Manor Bldg., 2nd Floor
216-1/2 East Emma Avenue
Springdale, AR 72764
Phone: 8/740-0603 FTS
501/751-8412 Commercial

Missouri Area

Dr. Harlan D. Ellis
Room B-26, Baptist Bldg.
400 East High Street
Jefferson City, MO 65101
Phone: 8/276-5521 FTS
314/635-0258 Commercial

Kansas Area

Dr. C. C. Hamilton
Room 399, Federal Bldg.
444 Southeast Quincy
Topeka, KS 66683
Phone: 8/752-2765 FTS
913/295-2765 Commercial

Louisiana Area

Dr. Columbus B. Parsons
6130 Renoir
Baton Rouge, LA 70806
Phone: 8/687-0397 FTS
504/389-0397 Commercial

WESTERN REGIONAL OFFICE:

(If you're in Alaska, Arizona,
California, Colorado, Hawaii, Idaho,
Montana, Nevada, North Dakota,
Oregon, South Dakota, Utah,
Washington, Wyoming, Samoa, Guam, or
Northern Mariana Islands, please contact):

Vacant
Bldg. 2 C
620 Central Avenue
Alameda, CA 94501
Phone: 8/536-7402 FTS
415/273-7402 Commercial

Montana - Wyoming Area

Dr. M. A. Waguespack
Area Supervisor
400 North Main Street, Room 303
Butte, MT 59701
Phone: 8/585-2461 FTS
406/792-8413 Commercial

Colorado - Utah-Arizona Area

Dr. W. H. Huber
Area Supervisor
2995 Baseline Road
Suite 105
Boulder, CO 80303
Phone: 8/323-4411 FTS
303/499-1000, Ext. 4411
Commercial

Northern California - Nevada Area

Dr. M. T. Mina
Area Supervisor
83 Scripps Drive, Suite 202
Sacramento, CA 95825
Phone: 8/468-4554 FTS
916/484-4554 Commercial

Southern California Area

Dr. Ramon J. Weber
Area Supervisor
400 Oceangate, Suite 220
Long Beach, CA 90802
Phone: 8/796-2414 FTS
213/548-2415 Commercial

Hawaii, Idaho, Oregon, Guam,
American Samoa - Northern Mariana
Area

Dr. R. L. Haskell
Area Supervisor
530 Center Street, NE.
Room 405
Salem, OR 97301
Phone: 8/422-5831 FTS
503/399-5831 Commercial

North Dakota - South Dakota Area

Dr. M. A. Waguespack
Area Supervisor
400 North Main Street, Room 303
Butte, MT 59701
Phone: 8/585-2461 FTS
406/792-8413 Commercial

Washington - Alaska Area

Dr. John W. Howder
Area Supervisor
711 S. Capitol Way, Fifth Floor
P.O. Box 2167
Olympia, WA 98507
Phone: 8/434-9497 FTS
206/753-9497 Commercial

(§303.1 continued)

(d) (1) The requirements of the Act and the regulations in this subchapter for inspection of the preparation of products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment in any State or organized Territory, for sale in normal retail quantities or service of such articles to consumers at such establishments, if such establishments would be subject to such inspection provisions only because the State or Territory is designated under paragraph 301(c) of the Act.

(2) For purposes of subparagraph (1) of this paragraph:

(i) Operations of types traditionally and usually conducted at retail stores and restaurants are the following:

(a) Cutting up, slicing, and trimming carcasses, halves, quarters, or wholesale cuts into retail cuts such as steaks, chops, and roasts, and freezing such cuts;

(b) Grinding and freezing products made from meat;

(c) Curing, cooking, smoking, rendering or refining of livestock fat, or other preparation of products, except slaughtering or the retort processing of canned products;

(d) Breaking bulk shipments of products;

(e) Wrapping or rewrapping products.

(ii) Any quantity or product purchased by a consumer from a particular retail supplier shall be deemed to be a normal retail quantity if the quantity so purchased does not in the aggregate exceed one-half carcass. The following amounts of product will be accepted as representing one-half carcass of the species identified:

	One-half carcass pounds
Cattle -----	300
Calves -----	37.5
Sheep -----	27.5
Swine -----	100
Goats -----	25

(iii) A retail store is any place of business where:

(a) The sales of product are made to consumers only;

(b) At least 75 percent, in terms of dollar value, of total sales of product represents sales to household consumers and the total dollar value of sales of product to consumers other than household consumers does not exceed \$27,000¹/ per calendar year (i.e., January 1 through December 31);

(c) Only federally or State inspected and passed product is handled or used in the preparation of any product, except that product resulting from the custom slaughter or custom preparation of product may be handled or used in accordance with paragraph (a)(2) and (b) of this section but not for sale;

1/ This dollar limitation will automatically be adjusted during the first quarter of each calendar year, beginning with the calendar year 1981, upward or downward, whenever the Consumer Price Index, published by the Bureau of Labor Statistics, Department of Labor, indicates a change in the price of this same volume of product which exceeds \$500.

(§ 303.1(d)(2)(iii) continued)

(d) No sale of product is made in excess of a normal retail quantity as defined in subdivision (ii) of this subparagraph;

(e) The preparation of products for sale to household consumers is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph; and

(f) The preparation of products for sale to other than household consumers is limited to traditional and usual operations as defined in (a), (b), (d), and (e) of subdivision (i) of this subparagraph. (A retail store at which custom slaughtering or preparation of products is conducted is not thereby disqualified from exemption as a retail store under this paragraph (d)).

(iv) A restaurant is any establishment where product is prepared only for sale or service, in meals, or as entrees, directly to individual consumers at such establishment; only federally or State inspected and passed product or such product prepared at a retail store exempted under subdivision (iii) of this subparagraph is handled or used in the preparation of any product; no sale of product is made in excess of a normal retail quantity as defined in subdivision (ii) of this subparagraph; and the preparation of product is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph. This definition includes a caterer which delivers or serves product in meals, or as entrees, only to individual consumers and otherwise meets the requirements of this paragraph.

(v) Similar retail-type establishment: Any establishment which is a combination retail store and restaurant; any delicatessen which meets the requirements for a retail store or restaurant as prescribed in subdivision (iii) or (iv) of this subparagraph; or other establishment as determined by the Administrator in specific cases.

(vi) Consumer: Any household consumer, hotel, restaurant, or similar institution as determined by the Administrator in specific cases.

(3) Whenever any complaint is received by the Administrator from any person alleging that any retail store claiming exemption under this paragraph (d), in any designated State or organized Territory that is identified under section 205 of the Act (as one that does not have or is not exercising adequate authority with respect to recordkeeping requirements) has been operated in violation of the conditions prescribed in this section for exemption, and the Administrator, upon investigation of the complaint, has reason to believe that any such violation has occurred, he shall so notify the operator of the retail store and afford him reasonable opportunity to present his views informally with respect to the matter. Thereafter, if the Administrator still has reason to believe that such a violation has occurred, and that a requirement that the operator keep records concerning the operations of the retail store would effectuate the purposes of the Act, the Administrator shall order the operator to maintain complete, accurate, and legible records of total monthly purchases and of total monthly sales of meat, meat byproducts, and meat food products, in terms of dollar values of the products involved. Such records shall separately show total sales to household consumers and total sales to other consumers and shall be maintained for the period prescribed in § 320.3 of this subchapter. If the operator maintains copies of bills of lading, receiving and shipping invoices, warehouse receipts, or similar documents which give the information required herein, additional records are not required by this subparagraph.

(e) The adulteration and misbranding provisions of the Act and the regulations in this subchapter, other than the requirement of the official inspection legend, apply to articles which are exempted from inspection or not required to be inspected under this section. This includes the requirement that any pork and any product containing pork be prepared only in compliance

(§ 309.13 continued)

(b) Any livestock condemned on account of ketosis, swine erysipelas, vesicular diseases, grass tetany, transport tetany, parturient paresis, anasarca, anaplasmosis, leptospirosis, listeriosis, or inflammatory condition including pneumonia, enteritis, and peritonitis may be set apart and held for treatment under supervision of a Program employee or official designated by the area supervisor. The U.S. Condemned identification tag will be removed by a Program employee following treatment under such supervision if the animal is found to be free from any such disease.

(c) Livestock previously affected with listeriosis, including those released for slaughter after treatment under paragraph (b) of this section, shall be identified as U.S. Suspect.

(d) When livestock under the provisions of this section is to be released for a purpose other than slaughter, the operator of the official establishment or the owner of the livestock shall first obtain permission for the movement of such livestock from the local, State, or Federal livestock sanitary official having jurisdiction.

§ 309.14 Brucellosis-reactor goats.

Goats which have reacted to a test for brucellosis shall not be slaughtered in an official establishment.

§ 309.15 Vesicular diseases.

(a) Immediate notification shall be given by the inspector to the local, State, and Federal livestock sanitary officials having jurisdiction when any livestock is found to be affected with a vesicular disease.

(b) No livestock under quarantine by State or Federal livestock sanitary officials on account of a vesicular disease will be given ante-mortem inspection. If no quarantine is invoked, or if quarantine is invoked and later removed, upon ante-mortem inspection, any animal found to be affected with vesicular exanthema or vesicular stomatitis in the acute stages, as evidenced by acute and active lesions or an elevated temperature, shall be identified as U.S. Condemned and disposed of in accordance with § 309.13.

§ 309.16 Livestock suspected of having biological residues.

* (a) Except as provided by paragraph (c) below, livestock suspected of having been treated with or exposed to any substance that may impart a biological residue which would make the edible tissues unfit for human food or otherwise adulterated, shall be handled in compliance with the provisions of this paragraph. They shall be identified at official establishments as "U.S. Condemned." These livestock may be held under the custody of a Program employee, or other official designated by the Administrator, until metabolic processes have reduced the residue sufficiently to make the tissues fit for human food and otherwise not adulterated. When the required time has elapsed, the livestock, if returned for slaughter, must be reexamined on ante-mortem inspection. To aid in determining the amount of residue present in the tissues, officials of the Program may permit the slaughter of any such livestock to collect tissues for analysis for the residue.

(b) All carcasses and edible organs and other parts thereof, in which are found any biological residues which render such articles adulterated, shall be marked as "U.S. Condemned" and disposed of in accordance with § 314.1 or § 314.3 of this chapter.

* (§ 309.16 continued)

* (c) Cattle that have been held on or after November 1, 1979, at any
* feedlot identified by FDA as having, or suspected as having, implanted cattle
* with DES on or after November 1, 1979,^{1/} shall not be slaughtered in any
* official establishment except as provided below.

* (1) Cattle Which Have Not Received DES On or After November 1, 1979.

* Cattle that have been held on or after November 1, 1979, at any FDA-identified
* feedlot which were not implanted with DES on or after November 1, 1979, may be
* slaughtered at an official establishment provided that the official^{2/} presenting
* the animals for slaughter executes and presents, to the Inspector-in-Charge of
* the official establishment, a sworn statement certifying, based upon his/her
* personal knowledge and written records, that the animals covered by the sworn
* statement have received no DES in any form on or after November 1, 1979.

* (2) Cattle Which Have Received DES On or After November 1, 1979.

* Cattle that have been held on or after November 1, 1979, at any FDA identified
* feedlot that were implanted with DES on or after November 1, 1979, may be
* slaughtered at an official establishment provided that:

* (i) The implant, or its remains, are surgically removed by or under the
* direct supervision of a USDA accredited veterinarian. In the event that the
* implant or its remains cannot be located after careful physical examination of
* any animal identified by the feedlot's records as having been implanted with
* DES on or after November 1, 1979, the holder's customary implant site or sites
* must be surgically removed or opened, examined, and scraped free of any implant
* material and contaminated tissue. If the implant site cannot be determined and
* there is no customary implant site to be explored, cattle identified by the
* feedlot's records as having been implanted on or after November 1, 1979, cannot
* be reconditioned under this program;

* (ii) Each animal subject to paragraph (c) of this section is individually
* identified by a serially numbered metal ear tag;

* (iii) The USDA accredited veterinarian executes a sworn statement certifying
* that the appropriate procedure required by paragraph (c) has been performed;

* (iv) The official presenting the animal for slaughter executes and presents
* to the Inspector in Charge at the official establishment a sworn statement based
* upon his/her personal knowledge and written records. In the sworn statement,
* the certifying official must acknowledge that the animals covered by the statement
* (A) have been implanted with DES on or after November 1, 1979; (B) have been
* explanted (identifying the USDA accredited veterinarian performing the explanting
* and the date on which it occurred); and (C) have been withheld under his/her
* personal supervision from any additional implants of DES for a period of at

* 1/ A list of these feedlots as identified by FDA may be obtained from the
* local regional office, Meat and Poultry Inspection Program, Food Safety and
* Quality Service, or from FDA district offices.

* 2/ The "official" means the chief official or other person responsible for
* the FDA identified feedlot's operation. If a person other than a feedlot
* official or person responsible at the feedlot presents for slaughter at an
* official establishment animals identified as suspected of having received DES
* at an FDA identified feedlot, the obligations of officials under the regulation
* will apply to such person.

* least 41 days^{3/4/} immediately prior to slaughter since explanting; and
* (v) A copy of the USDA accredited veterinarian's sworn statement is
* attached to the sworn statement of the official presenting the animal for
* slaughter.

§ 309.17 Livestock used for research.

(a) No livestock used in any research investigation involving an experimental biological product, drug, or chemical shall be eligible for slaughter at an official establishment unless:

(1) The operator of such establishment, the sponsor of the investigation, or the investigator has submitted to the Program, or the Veterinary Services unit of the Animal and Plant Health Inspection Service of the Department of Agriculture or to the Environmental Protection Agency or to the Food and Drug Administration of the Department of Health, Education, and Welfare data or a summary evaluation of the data which demonstrates that the use of such biological product, drug, or chemical will not result in the products of such livestock being adulterated, and a Program employee has approved such slaughter;

(2) Written approval by the Deputy Administrator, Meat and Poultry Inspection Field Operations furnished the area supervisor prior to the time of slaughter;

(3) In the case of an animal administered any unlicensed, experimental veterinary biologic product regulated under the Virus-Serum Toxin Act (21 U.S.C. 151 et seq.), the product was prepared and distributed in compliance with Part 103 of the regulations issued under said Act (Part 103 of this title), and used in accordance with the labeling approved under said regulations;

(4) In the case of an animal administered any investigational drug, regulated under the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 301 et seq.), the drug was prepared and distributed in compliance with the applicable provisions of Part 135 of the regulations issued under said Act (21 CFR Part 135), and used in accordance with the labeling approved under said regulations;

(5) In the case of an animal subjected to any experimental economic poison under section 2(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135 et seq.), the product was prepared and distributed in accordance with § 362.17 of the regulations issued under said Act (7 CFR 362.17), and used in accordance with the labeling approved under said regulations.

(6) In the case of an animal administered or subjected to any substance that is a food additive or pesticide chemical under the Federal Food, Drug, and Cosmetic Act, *supra*, there has been compliance with all tolerance limitations established by said Act and the regulations promulgated thereunder (21 CFR 1.1 et seq.), and all other restrictions and requirements imposed by said Act and said regulations will be complied with at the time of slaughter.

* 3/ Except for the liver and kidneys, all parts of the cattle that have been with-
* held from DES implants for at least 41 days prior to slaughter may be used for
* food. If the liver and kidneys are also to be used for food, the animals must be
* withheld from DES implants for at least 61 days immediately prior to slaughter.
* 4/ If a person presenting animals for slaughter at an official establishment
* did not have custody of the animals for the entire time period for which the treat-
* ment of the animals must be verified, additional affidavits sworn by the person(s)
* having custody for the remainder of the appropriate period must be submitted.

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§ 329.7 Procedure for seizure, condemnation, and disposition.

Any article or livestock subject to seizure and condemnation under this part shall be liable to be proceeded against and seized and condemned, and disposed of, at any time, on an appropriate pleading in any United States district court, or other proper court specified in section 404 of the Act, within the jurisdiction of which the article or livestock is found.

§ 329.8 Authority for condemnation or seizure under other provisions of law.

The provisions of this part relating to seizure, condemnation and disposition of articles or livestock do not derogate from authority for condemnation or seizure conferred by other provisions of the Act, or other laws.

§ 329.9 Criminal offenses.

The Act contains criminal provisions with respect to numerous offenses specified in the Act, including but not limited to bribery of Program employees, receipt of gifts by Program employees, and forcible assaults on, or other interference with, Program employees while engaged in, or on account of, the performance of their official duties under the Act.

PART 330-[RESERVED]

PART 331-SPECIAL PROVISIONS FOR DESIGNATED STATES AND TERRITORIES;
AND FOR DESIGNATION OF ESTABLISHMENTS WHICH ENDANGER PUBLIC HEALTH
AND FOR SUCH DESIGNATED ESTABLISHMENTS

AUTHORITY: The provisions of this Part 331 issued under secs. 21, 301, 81 Stat. 584, 588, 592, 593, 595; 21 U.S.C. 621, 661.

SOURCE: The provisions of this Part 331 appear at 35 F.R. 1967, Dec. 29, 1970, unless otherwise noted.

§ 331.1 Definition of "State".

For purposes of this Part, the term "State" means any State (including the Commonwealth of Puerto Rico) or organized Territory.

§ 331.2 Designation of States under paragraph 301(c) of the Act.

Each of the following States has been designated, under paragraph 301(c) of the Act, as a State in which the provisions of Titles I and IV of the Act shall apply to operations and transactions wholly within such State. The Federal provisions apply, effective on the dates shown below:

Effective date of application
of Federal provisions

California.....	April 1, 1976
Colorado.....	July 1, 1975
Connecticut.....	October 1, 1975
Guam.....	January 21, 1972

(§ 331.2 continued)

Kentucky.....	January 14, 1972
* Maine.....	May 12, 1980 *
Massachusetts.....	January 12, 1976
Minnesota.....	May 16, 1971
Missouri.....	August 18, 1972
Montana.....	April 27, 1971
Nebraska.....	October 1, 1971
Nevada.....	July 1, 1973
New Hampshire.....	August 6, 1978
New Jersey.....	July 1, 1975
New York.....	July 16, 1975
North Dakota.....	June 22, 1970
Northern Mariana Islands.....	October 29, 1979
Oregon.....	July 1, 1972
Pennsylvania.....	July 17, 1972
Puerto Rico.....	June 18, 1971
Tennessee.....	October 1, 1975
Virgin Islands.....	November 27, 1971
Washington.....	June 1, 1973

§ 331.3 States designated under paragraph 301(c) of the Act; application of regulations.

The provisions of the regulations in this subchapter apply to operations and transactions wholly within each State designated in § 331.2 under paragraph 301(c) of the Act, except as otherwise provided in this section. (The provisions of the regulations apply in all respects to operations and transactions in or for commerce.)

(a) Each establishment, located in such a designated State, which is granted inspection required under § 302.1(a)(2) of this subchapter, shall obtain approval of plant drawings as specified in § 304.2 of this subchapter within 18 months after the designation of the State becomes effective. The establishment, including its facilities shall be placed in compliance with the approved drawings as soon as possible, but not to exceed 36 months after such designation becomes effective. Failure to have drawings approved or to bring the establishment into compliance with such drawings within the time periods specified herein will result in the expiration of the grant of inspection. Inspection will be initially granted to any such establishments only if it is found, upon a combined evaluation of its premises, facilities and operating procedures, to be capable of producing products that are not adulterated or misbranded.

(b) Section 305.2 of this subchapter will apply to establishments required to have inspection under § 302.1(a)(2) of this subchapter, except that existing interconnections between official and unofficial establishments will be permitted if it is determined in specific cases that the interconnections are such that transfer of inedible product into the official establishment would be difficult or unusual, and any such transfers are strictly prohibited, except as permitted under other provisions of this subchapter. It is essential that separation of facilities be maintained to the extent necessary to assure that inedible product does not enter the official establishment contrary to the regulations of this subchapter.

(c) Section 308.4 of this subchapter shall apply to such establishments, except that separate toilet rooms for men and women workers will not be required when the majority of the workers in the establishment are related by blood or marriage, provided that this will not conflict with municipal or State requirements; and except that separation of toilet soil lines from house

(381.10(c) continued)

(1) Such producer slaughters not more than 250 turkeys, or not more than an equivalent number of birds of all species, during the calendar year for which this exemption is being determined (four birds of other species being deemed the equivalent of one turkey);

(2) Such poultry producer does not engage in buying or selling poultry products other than those produced from poultry raised on his own farm; and

(3) None of such poultry moves in "commerce" (as defined in § 381.1).

(d) (1) The requirements of the Act and the regulations for inspection of the processing of poultry and poultry products do not apply to operations of types traditionally and usually conducted at retail stores and restaurants, in any State or organized territory, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments would be subject to such inspection provisions only because the State or territory is designated under paragraph 5(c) of the Act. (This exemption does not apply to establishments at which poultry products are processed for commerce.)

(2) For the purposes of subparagraph (1) of this paragraph:

(i) Operations of types traditionally and usually conducted at retail stores and restaurants include any processing of poultry products except canning of poultry products and except slaughtering of poultry unless such slaughtering is conducted at a retail store with respect to live poultry purchased by the consumer at the retail store and processed by the retail store operator in accordance with the consumer's instructions.

(ii) A normal retail quantity is any quantity of a poultry product purchased by a household consumer from a retail supplier that in the aggregate does not exceed 75 pounds. A normal retail quantity sold by a retail supplier to other than a household consumer is any quantity that in the aggregate does not exceed 150 pounds.

* (iii) A retail store is any place of business where:

* (a) The sales of poultry products are made to consumers only;

* (b) At least 75 percent, in terms of dollar value, of total sales of poultry products represents sales to household consumers and the total dollar value of sales of poultry products to consumers other than household consumers does not exceed \$21,100¹/ per calendar year (i.e., January 1 through December 31);

* (c) Only federally or State inspected and passed, or exempted (or, as provided in § 381.223, State or local agency inspected and passed or exempted) poultry products are handled or used in the preparation of any poultry products;

* (d) No sale of poultry products is made in excess of a normal retail quantity as defined in subdivision (ii) of this subparagraph; and

* (e) The processing of poultry products for sale is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph.

(iv) A restaurant is any establishment where poultry products are processed only for sale or service, in meals, or as entrees, directly to individual consumers at such establishment; only federally inspected and passed, or exempted (or, as provided in § 381.223, State or local agency inspected and passed or exempted) poultry products are handled or used in the preparation of any poultry products; no sale of poultry products is made in excess of a normal

¹/ This dollar limitation will automatically be adjusted during the first quarter of each calendar year, beginning with the calendar year 1981, upward or downward, whenever the Consumer Price Index, published by the Bureau of Labor Statistics, Department of Labor, indicates a change in the price of this same volume of product which exceeds \$500.

(§ 381.10(d)(2)(iv) continued)

retail quantity as defined in subdivision (ii) of this subparagraph; and the processing of poultry products is limited to traditional and usual operations as defined in subdivision (i) of this subparagraph.

(v) A similar retail-type establishment is any establishment which is a combination retail store and restaurant; any delicatessen which meets the requirements for a retail store or restaurant as prescribed in subdivision (iii) or (iv) of this subparagraph; or other establishment as determined by the Administrator in specific cases.

(vi) A consumer is any household consumer, hotel, or restaurant, or similar institution as determined by the Administrator in specific cases.

(3) Whenever any complaint is received by the Administrator from any person alleging that any retail establishment or restaurant claiming exemption under this paragraph (d) in any designated State or organized territory listed in § 381.221 that is also identified in § 381.224 as a jurisdiction that does not have or is not exercising adequate authority with respect to recordkeeping requirements, has been operated in violation of the conditions prescribed in this paragraph (d) for such exemption, and the Administrator, upon investigation of the complaint, has reason to believe that any such violation has occurred, he shall so notify the operator of the retail establishment or restaurant and afford him reasonable opportunity to present his views informally with respect to the matter. Thereafter, if the Administrator determines that such a violation has occurred, and that a requirement that the operator keep records concerning the operations of the retail establishment or restaurant would effectuate the purposes of the Act, the Administrator shall order the operator to maintain complete, accurate, and legible records of his total monthly purchases and of his total monthly sales of poultry and poultry products. Such records shall separately show total sales to household consumers and total sales to other consumers, and shall be maintained for the period prescribed in § 381.177. If the operator maintains copies of bills of lading, receiving and shipping invoices, warehouse receipts, or similar documents which give the information required herein, additional records are not required by this subparagraph.

(4) The adulteration and misbranding provisions of the Act and the regulations other than the requirement of the official inspection legend, apply to articles which are exempted from inspection under this paragraph (d).

§ 381.11 Exemptions based on religious dietary laws.

(a) Any person who slaughters, processes, or otherwise handles poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws may apply for exemption from specific provisions of the Act or regulations which are in conflict with such religious dietary laws. Any person desiring such an exemption shall apply in writing to the Meat and Poultry Inspection Program, Food Safety and Quality Service, Department of Agriculture, Washington, D.C. 20250, setting forth the specific provisions of the Act and the regulations from which exemption is sought and setting forth the provisions of the religious dietary laws in support of the requested exemption. In addition, the applicant for such an exemption



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CHANGE: 80-6

MAINTENANCE INSTRUCTIONS

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Pen-and-Ink Changes

Page 87, section 11.11(o), line 1, add a comma after the word "Scurf" and add the word "interdigital" after the comma.

(c) Shipments for Military

Shipments of products by military to military are covered by an agreement between Defense Personnel Supply Command (DPSC) and the Italian officials. The military will issue their own export certificates for shipments of meat and poultry products from military points of embarkation (Cheatham Annex, Bayonne, Naval Supply Center, Norfolk, etc.) to U.S. military personnel in Italy.

To provide the military veterinary medical officers with background information for military export certification, MPI officials at the point of origin should, in addition to regular export certificates (MP Form 412-3 or 506), issue the following health certificates presently required for meat and poultry exports only to Germany: MP Form 62 for beef, pork, and products thereof; or MP Form 70 for poultry. Since these certificates are filed and kept only for reference after the military issue their own export certificates, it is not essential to identify the final ("overseas") destination for such shipments.

Military export certification does not apply to meat and poultry products shipped to military dependents in Italy. These are commercial shipments and must be certified as described in section 22.49(a) and (b).

(d) Pharmaceutical Products

Issue MP Form 412-3 if handled as edible product. If otherwise, a certificate signed by an MPI veterinarian on USDA/FSQS letterhead must be issued stating that the product is from animals which were healthy before and after slaughtering. Certificate must also state that denaturation was not performed at the plant of origin. Organs must be free of lesions and alterations and must be collected in plants authorized for export to Italy.

Product must be frozen and packaged according to specifications described in Italian "List of Technical, Hygienic and Sanitary Guarantees and Conditions for Chilled Meat . . ."

Package labeling must show species, name of exporter, anatomical denomination of product, and name of origin country.

22.50 JAMAICA**Meat Products**

The following statement should be added to the export certificate covering fresh, frozen, cured, and/or smoked product: "The United States is free from Foot-and-Mouth Disease."

22.51 JAPAN

The full name and address of the actual consignees must be shown on export certificates for meat and poultry shipments to Japan. Using the name of the exporter as the consignee is not acceptable. Metric weights are required for only LIPC shipments. See 22.51(a)(3).

(a) Meat Products

(1) Certification. Include the word "chilled" or "frozen," as applicable, on MP Form 412-3 under "description of product" and on MP Form 412-13 in block 2. For product containing meat and poultry, regardless which is predominant, issue only MP Form 412-3 and MP Form 412-13.

MP Form 412-13. Do not complete blocks 7 and 8 for fresh or frozen meat, and 9 and 10 for processed product. Complete block 6 for plants preparing cuts or packing byproducts. Blocks 9 and 10 must be completed for fresh frozen meat. Exporter should request origin plants to furnish slaughter dates, name, and signature of inspector in charge on shipping invoices, to provide inspectors at other than origin plants with the appropriate information. Indicate species for each item in block 1; for example, all beef franks must be shown as "beef," and franks made of beef, pork, and chicken as "beef, pork, and chicken."

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(2) Fresh beef. When export shipments of beef consist of a variety of

different beef cuts in a single shipment the term "Beef Cuts" may be used in the certificates and the cartons to identify the products. Note: This does not apply to LIPC which is described below.

(i) **Hanging tenders; beef skirt diaphragm.** Hanging tenders and the beef skirts derived from the diaphragm are considered to be offals in Japan, and therefore, are not subject to LIPC requirements. "Beef Skirt Diaphragm," or the terminology "Beef Outside Skirt--Diaphragm Meat" must be shown on boxes and certificates for beef skirt derived from the diaphragm. The term "Diaphragm" is not permitted on certificates or cartons if the product is not derived from the diaphragm or consists of a mixture of meat from diaphragm and other anatomical origins.

(ii) **Partially defatted beef fatty tissue.** The Japanese place this product in the raw meat category; therefore, the same certification must be made as required for fresh, chilled or frozen meat.

(3) **LIPC (Livestock Industry Promotion Corporation of Japan).** LIPC has special requirements for U.S. beef cuts.

(i) **Applicant.** The party applying for export certification of beef to Japan must state on MP Form 412 "Exporter advises shipment is subject to requirements of LIPC tender," or "Exporter advises shipment is not subject to requirements of LIPC tender." The applicant must also furnish the inspector a copy (or copies) of an "Agricultural Products Acceptance Certificate" completed by a USDA Meat Grader (which corresponds to the lot of product which will be presented for inspection) for all cuts purchased by LIPC tender except for 121D Beef Skirt Plate.

The Agricultural Products Acceptance Certificate will show the grade, name of cut, IMPS item number and date packed. All cartons covered by this certificate are sealed and stamped with the "USDA Accepted as Specified" stamp as shown by the facsimile.



(ii) **Inspector.** Prior to issuing the export certificates, the inspector shall determine that each carton is correctly marked with: 1. Grade, 2. Name of cut, 3. IMPS item number, 4. Date packed, 5. "USDA Accepted as Specified," stamp, 6. Product of USA, 7. Name and establishment number of packer, 8. Finish of packing (frozen, chilled, etc.), and 9. Net weight in metric units (handwritten legible block Arabic numerals are acceptable).

The inspector shall also ascertain that MP Forms 412-3 and 412-13 have the following information: 1. The statement "Exporter advises shipment is/is not subject to requirements of LIPC tender" as shown on MP Form 412, 2. The grade, name of cut, and IMPS item number in the space for "Description of Item or Product," and 3. The metric weights.

(iii) **Net weight.** If not preprinted by the label manufacturer, the net weight should be stenciled, stamped or handwritten on the carton. The Japanese regulations regarding net weight require that each carton of chilled or frozen beef destined for LIPC must show net weight in kilograms down to tenths of a kilogram. Net weight of less than one-tenth of a kilogram (such as one-hundredth of a kilogram) must be disregarded. If

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